CITY COUNCIL, CITY OF LODI CARNEGIE FORUM, 305 WEST PINE STREET WEDNESDAY, MAY 1, 1991 7:30 P.M.

ROLL CALL

Present:

Council Members - Pennino, Pinkerton,

Sieglock, Snider, and Hinchman (Mayor)

Absent:

Council Members - None

Also Present:

City Manager Peterson, Assistant City

Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, Acting City Attorney Bob Mullen, and

Deputy City Clerk Perrin

INVOCATION

The invocation was given by Pastor Ernie Troutner, First United Methodist Church, which was dedicated to the memory of former Council Member Robert H. Rinn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hinchman.

PRESENTATIONS

PROCLAMATIONS

CC-37

Mayor Hinchman presented the following proclamations:

- a) "National Nursing Week" for the week of May 6 12, 1991 presented to Murlene Ryder of the Lodi Memorial Hospital.
- b) "Hire a Vet Week" for the week of May 6 12, 1991 presented to Brad Jones and Judy Clemmons of the Lodi Employment Office.
- c) "Water Awareness Month" for the month of May 1991 presented to George Sande and Holly Jones of the City of Lodi Municipal Service Center. Water Conservation Officer Holly Jones presented buttons to the City Council members with this year's theme "Don't be a Waterhog".

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Snider, Sieglock second, approved the following items hereinafter set forth.

Further, the City Council pulled the following Consent Calendar items from the agenda:

- a) Item #E-7 entitled, "Award contract for tree work at Lodi Lake Park"; and
- b) Item #E-15 entitled, "Final Map for Pioneer Place, a six-lot condominium, 505 Pioneer Drive.

CLAIMS CC-21(a)

Claims were approved in the amount of \$1,906,426.75.

MINUTES

The Minutes of April 3, 1991 (Regular Meeting) were approved as written.

ADOPTED CLASS SPECIFICATIONS AND SET SALARY RANGE FOR SUPERVISING ADMINISTRATIVE CLERK (MUNICIPAL SERVICE CENTER)

RESOLUTION NO. 91-76

CC-34 CC-300 The City Council adopted Resolution No. 91-76 approving the class specifications for Sondra Huff appropriately employed as a Supervising Administrative Clerk. Council also set the salary range for this position as shown below:

Supervising Administrative Clerk (Municipal Service Center):

A	В	С	D	E
\$1,607.24	\$1,687.61	\$1,772.00	\$1,860.61	\$1953.64

Late last year the Council authorized a classification study for clerical positions. The major portion of that study was implemented in March 1991. One of the positions reviewed was undergoing a transition and required that we wait for a period of time and restudy the position. We have received the final report which recommends an Administrative Clerk III position at the Municipal Service Center (MSC) be upgraded to Supervising Administrative Clerk - a new classification.

Ms. Sondra Huff is the incumbent in that position. Personnel policies recommend in situations like this - when a position is upgraded or downgraded - the incumbent is found to be appropriately employed in the new classification. It is, therefore, appropriate to make the finding that Ms. Sondra Huff is appropriately employed as a Supervising Administrative Clerk.

Council is asked to set the salary range for this position to be 5% more than an Administrative Clerk III.

PLANS AND SPECIFICATIONS AND ADVERTISEMENT FOR BIDS FOR HUTCHINS STREET SENIOR GARDEN PROJECT, 600 WEST OAK STREET APPROVED

CC-12.1(c)

The City Council approved the plans and specifications for the Hutchins Street Senior Garden Project, 600 West Oak Street and authorized advertising for bids.

This project will construct a walled patio space which will feature raised concrete planters for senior gardening.

Community Development Block Grant funds will be used to pay for this construction.

SPECIFICATIONS AND ADVERTISEMENT FOR BIDS FOR FIRE DEPARTMENT CARPET APPROVED

CC-12.1(c)

The City Council approved the specifications for the installation of carpet for the Fire Department and authorized advertising for bids to be received Wednesday, May 22, 1991.

Funds to purchase carpet for the Fire Department at Station One, 210 West Elm Street (Public Safety Building) were approved in the 1990-91 Operations/Maintenance Budget by the City Council.

CONTRACT AWARD FOR MILLS AVENUE OVERLAY, LODI AVENUE TO ELM STREET APPROVED

RESOLUTION NO. 91-77

CC-12(a) CC-300 The City Council adopted Resolution No. 91-77 awarding the contract for the Mills Avenue Overlay, Lodi Avenue to Elm Street to Claude C. Wood Company in the amount of \$79,632.00.

This project will place a pavement reinforcing fabric and an asphalt concrete overlay on Mills Avenue from Lodi Avenue through the Elm Street intersection.

The paving operation for this project will require that Mills Avenue be closed. The street closure will be done in two phases; Lodi Avenue to Pine Street and Pine Street to Elm Street. The phasing of the street closure will be less of an inconvenience to the public than if the entire length of the project is closed at one time.

Plans and specifications for this project were approved on April 3, 1991. The City received the following four bids for this project:



<u>Bidder</u> <u>L</u>	ocation	Bid
Teichert Construction S Granite Construction W	odi tockton atsonville	\$90,044.20 \$79,632.00 \$79,989.00 \$89,354.00 \$95,965.50

ITEM PULLED FROM THE AGENDA

Item #E-7 entitled, "Award contract for tree work at Lodi Lake Park" was removed from the agenda.

PURCHASE OF ANIMAL CONTROL
TRUCK TRANSPORT BOX APPROVED

RESOLUTION NO. 91-79

CC-12(d) CC-300 The City Council adopted Resolution No. 91-79 approving the purchase of an animal control truck transport box for the Police Department from T&N Manufacturing and Sales, Sacramento, California, for the amount of \$5,804.25.

Funds to purchase an animal control truck transport box for the Police Department were approved in the 1990-91 Budget and specifications were approved by the City Council on March 20, 1991. Bids were opened on April 3, 1991 and three bids were received.

Name of Bidder	<u>Total Bid</u>
T&N Manufacturing and Sales, Sacramento Diamond Truck Body Company, Stockton	\$5,804.25 \$9,076.80
Dailey Body Company, Oakland	\$10,812.00

PURCHASE OF BOOM TRUCK FOR THE PUBLIC WORKS DEPARTMENT APPROVED

RESOLUTION NO. 91-80

CC-12(d) CC-300 The City Council adopted Resolution No. 91-80 approving the purchase of a boom truck for the Public Works Department from Western Traction Company, Union City, California, for the amount of \$81,579.00.

Funds to purchase the boom truck for the Public Works Department were approved in the 1990-91 budget and specifications were approved by the City Council on March 20, 1991. Bids were opened on April 3, 1991 and three bids were received. The low bidder failed to meet the specifications.

Name of Bidder	<u>Total Bid</u>
Manitowoc Western, Fairfield	\$80,982.00
Western Traction Co., Union City	\$81,579.00
Simon West Coast, Inc., Fontana	\$108,360.56

MAINTENANCE AND ENERGY AGREEMENT WITH STATE OF CALIFORNIA FOR TRAFFIC SIGNAL AT CLUFF AVENUE AND VICTOR ROAD (HIGHWAY 12) APPROVED

RESOLUTION NO. 91-81

CC-7(f) CC-90 CC-300 The City Council adopted Resolution No. 91-81 approving the maintenance and energy agreement with the State of California Department of Transportation for the traffic signal to be installed at Cluff Avenue and Victor Road (Highway 12).

The City is installing traffic signals at Cluff Avenue and Victor Road using Federal-Aid Urban (FAU) funds. This agreement covers the sharing of costs for the maintenance and energy used at this signal after the project has been completed. Under this agreement, the State will furnish one California Type 170 controller assembly for the project. They will also pay 50 percent of the cost to maintain and operate the entire traffic control signal system and lighting at this intersection. This agreement is similar to other agreements with the State to cover the maintenance and operation of signals along Highway 12.

ARCHITECTURAL SERVICE AGREEMENT FOR THE RENOVATION OF THE BLAKELY PARK RESTROOM BUILDING, 1050 SOUTH STOCKTON STREET APPROVED

CC-90

The City Council authorized the City Manager to sign an architectural service agreement between Wenell Mattheis Bowe Inc. and the City of Lodi for providing plans and specifications for the renovation of the Blakely Park restroom building.

The Parks and Recreation Department has obtained State approval to use Community Development Block Grant funds to rehabilitate the restrooms at Blakely Park and make them handicap accessible. The project will also re-roof the building and install new fixtures in the restrooms. The new fixtures will be handicap-accessible and will also be more vandal-resistant than the existing ones. The firm of Wenell Mattheis Bowe Inc. has been chosen to prepare the plans and specifications for this project. The design portion of this project will be funded by the Capital Outlay Reserve Fund.

EXTENSION OF AGREEMENT BETWEEN
THE CITY OF LODI AND FAMILY SERVICE
AGENCY TO PROVIDE EMPLOYEE ASSISTANCE
PROGRAM (COUNSELING SERVICE) APPROVED

CC-90

Council authorized the extending of the agreement between the City and the Family Service Agency to provide an employee assistance program (counseling service) for City employees and their dependents.

For several years, the City has contracted with the Family Service Agency to provide an employee assistance program for employees and dependents. The relationship in the past has been satisfactory and it is staff's recommendation that the relationship be continued in its present format.

The Family Service Agency has requested a 5% increase for the 1991-92 agreement. That represents a change in the total amount of the contract from \$11,670 to \$12,253.50. However, the hourly rate of \$50 remains the same. In all other regards, the agreement is identical to the ones used in previous years.

SET PUBLIC HEARING FOR MAY 15, 1991 REGARDING AMENDING ENGINEERING FEES

CC-6 CC-56 The City Council set a public hearing for May 15, 1991 on the Engineering Fee Update.

The Engineering Fee Update has been revised, circulated, and discussed at a Council "shirtsleeve" meeting on April 9, 1991. An informal public meeting is scheduled for April 26.

SET PUBLIC HEARING FOR MAY 15, 1991 ON PUBLIC IMPROVEMENT DESIGN STANDARDS

CC-6

The City Council set a public hearing for May 15, 1991 on the Public Improvement Design Standards.

The Public Improvement Design Standards have been revised and updated, prepared, circulated, and discussed at an informal public meeting on March 12, 1991 and a Council "shirtsleeve" meeting on April 9, 1991.

ITEM REMOVED FROM THE AGENDA

Item #E-15 entitled, "Final Map for Pioneer Place, a six-lot condominium, 505 Pioneer Place" was removed from the agenda.

COMMENTS BY CITY COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

SUGGESTION TO DEPUTY. CITY CLERK

Mayor Pro Tempore Pinkerton made a recommendation to Deputy City Clerk Perrin to watch closely who makes the motions, seconds the motions, and who votes because the Former City Attorney, Bob Mullen, acting in Mr. McNatt's stead, has not only made the resolutions, but also moved and seconded the votes.

COMMENT ON PRELIMINARY STUDY DONE BY COG REGARDING WEST LANE AND HUTCHINS STREET SQUARE BETWEEN LODI AND STOCKTON

CC-7(n)

Council Member Pennino commented on the recent Council of Government's (COG) meeting where a motion was passed to have COG do a study of the West Lane and Hutchins Street corridor between Lodi and Stockton. This is a long-range 20 to 30 year plan looking at the commuting patterns between Lodi and Stockton. It would not only incorporate West Lane and Hutchins Street, but look at Highway 99 and Lower Sacramento Road. This preliminary study has been approved. COG will not, however, take a side on the growth issue between Lodi and Stockton and will, therefore, remain neutral.

COMMENT ON PRESENTATION BY SMART REGARDING REGIONAL TRANSIT

CC-50(b)

Council Member Pennino also commented on the presentation given by the Stockton Metropolitan Area Regional Transit (SMART) district which took a look at regional transportation and included a stop in Lodi. No action was taken at the COG meeting. Council Member Pennino requested that the City Manager schedule this as a possible Shirtsleeve topic.

BOARD OF SUPERVISORS APPROVE THE WAIVING OF BOOKING FEES

CC-7(b)

Mayor Hinchman reminded the Council that a letter was CC-56 written to the Board of Supervisors asking that booking fees be waived in exchange for the time the City devotes to County prisoners, and informed the Council that the Board approved this waiver Tuesday. Therefore, the fees have now been waived, which, in some cases, were quite high.

MAYOR COMMENTS ON RECENT VISIT TO A MIDDLE-SCHOOL SOCIAL STUDIES CLASS

Mayor Hinchman also commented on his recent visit to a young, outstanding teacher, Mr. Mark Biskeen, and his social studies class. Mayor Hinchman was impressed by the questions that were asked by the kids, and he received some very nice thank you letters from all of the students. The Mayor wanted all of the people to know the good things the students are doing in this City.

COMMENTS BY THE PUBLIC ON NON AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

REMINDER OF "DOLLAR DUMP DAY" AND "SPRING CLEANUP WEEK"

Annette Murdoca, California Waste Removal Systems, reminded the City Council and the public that Saturday, May 4, 1991 is "Dollar Dump Day" at the Transfer Station and that the week of May 6 - 12, 1991 is "Spring Cleanup Week". Citizens can put up to six 30-gallon bagged, bundled or wrapped items at the curb side in addition to their regular cans.

COMPLAINT RECEIVED REGARDING THE LOCATION OF ELM AND LOCUST STREETS AND ELM AND PINE STREETS

CC-16

Virginia Lahr, 311 West Elm Street, expressed her concern regarding the area around Elm and Locust streets and Elm and Pine streets. A little girl was hit by a speeding vehicle that was coming out the alley way, and she was, fortunately, not injured badly. She told the Council that people are using this alley as a drag strip. She said she often hears gun shots, and claims the quality of the area is going downhill. She is very concerned and requests that something be done about this problem.

WELCOME TO ACTING CITY ATTORNEY, MR. ROBERT MULLEN

Council Member Snider welcomed Mr. Robert Mullen, Acting City Attorney, who was representing the City in Mr. McNatt's stead.

PUBLIC HEARINGS

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider an amendment to the Refuse Franchise Agreement to provide for addition of industrial service.

PUBLIC HEARING TO CONSIDER AMENDMENT TO THE REFUSE FRANCHISE AGREEMENT TO PROVIDE FOR ADDITION OF INDUSTRIAL SERVICE

ORDINANCE NOS. 1512 AND 1513

CC-22(b) CC-149 The City Council conducted a public hearing regarding an amendment to the Refuse Franchise Agreement to provide for the addition of industrial customers.

Administrative Assistant to the City Manager Kirk Evans reminded the City Council that on Wednesday, February 20, 1991, City Council considered the introduction of an ordinance to amend Chapter 13.16 - Solid Waste - of the City Code. This ordinance was tabled pending further review and recommendation of the matter by the City of Lodi Solid Waste Management Task Force.

At its meeting of Monday, March 25, 1991, the Task Force unanimously voted (Dave Vaccarezza abstained) to "recommend to City Council the approval of an amendment to the Refuse Franchise Agreement to provide for addition of Industrial Refuse Service". Representatives from the industrial community were invited, attended, and expressed their concerns at this meeting. After hearing these concerns, Task Force members agreed that if such amendment is made, it should not interfere with industries' management of in-house recyclable materials. That would be materials which an industrial company does not wish to set out for collection by any industrial waste disposal organization.

Ordinance No. 1513 entitled, "An Ordinance of the Lodi City Council Amending the City's Exclusive Franchise for Waste Disposal Services to Include Industrial Waste" and Ordinance No. 1512 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.16 - Solid Waste - to Provide for the Addition of Industrial Refuse Service" were provided for Council's review.

A letter from EMCON Associates expressing their position on this subject is shown below:

This letter responds to the City of Lodi's (City's) request to review the issue of exclusive franchise operations as it may relate to integrated waste management planning mandated by Assembly Bill (AB) 939. Flow control is a key issue in any solid waste system and is critical to assure reaching the AB 939 goals and the need for an integrated approach to solid waste management.

A significant amount of waste diversion will come from aggressive separation of commercial and industrial waste, both by appropriate diversion of recyclables rich loads and by separation of recyclables at a centralized materials

recovery facility (MRF). In the case of the City, the waste stream is not of sufficient size to economically support more than one MRF. Flow control through issuance of exclusive franchises can guarantee that a sufficient waste or material base and revenues rate base will be available to support the costs of the City's waste processing system. This is especially true for jurisdictions where a facility is already in place for which the owner has expended a significant level of resources.

AB 939 requires each jurisdiction to prepare a plan for integrated waste management and to report annually on progress towards achieving state-mandated goals and objectives (section 41821 of the Public Resources Code). Having our own franchise hauler operating within the City limits will significantly reduce the annual costs that would likely be incurred by the City to gather data on waste generation, diversion, and disposal, including information on categories and types of wastes. Under the present arrangement, a number of haulers would have to integrate their accounting systems with the City's reporting requirements.

At the present time, an exclusive franchise arrangement fits the needs of the City of Lodi for purposes of AB 939. In summary, exclusive franchising and flow control centrally assigns the responsibility for (a) providing a service and (b) the mechanism for accountability and financing the operation of the waste removal and recovery system. If you have any questions or require additional information, please do not hesitate to call.

Cheryl L. Shields Project Manager

Mr. Dennis Deg, Chairman of the Lodi Solid Waste Management Task Force, made a few comments regarding industrial refuse service, followed by questions from the City Council directed at both Mr. Evans and Mr. Deg. The City Council's main concern regarded the rates of this service and who will be determining these rates.

Mayor Hinchman then opened the hearing to the public. The following people spoke at the hearing and expressed their concerns that costs may go up due to lack of competition.

- a) Myrle Morgan, 922 Industrial Way, Lodi, California;
- b) Jim Verseput, 2120 West Lodi Avenue, Lodi, California; and

c) Steven Fraizer, Interlake Corporation, South Sacramento Street, Lodi, California.

Following further discussion among the Council, staff and the public, the Mayor closed the hearing.

The City Council, on motion of Council Member Snider, Hinchman second, introduced Ordinance No. 1512 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.16 - Solid Waste - to Provide for the Addition of Industrial Refuse Service" and Ordinance No. 1513 entitled, "An Ordinance of the Lodi City Council Amending the City's Exclusive Franchise for Waste Disposal Services to Include Industrial Waste". Each Ordinance will contain the statement that it will become effective at the time the amended rates go into effect.

PUBLIC HEARING TO CONSIDER THE INDUSTRIAL SUBSTATION REORGANIZATION, INCLUDING ANNEXATION TO THE CITY OF LODI AND DETACHMENT FROM THE MOKELUMNE FIRE DISTRICT AND THE SAN JOAQUIN COUNTY (S.J.C.) RESOURCE CONSERVATION DISTRICT

RESOLUTION NO. 91-82

CC-8(a) CC-300 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing to consider the Industrial Substation Reorganization, Including Annexation to the City of Lodi and Detachment from the Mokelumne Fire District and the San Joaquin County (S.J.C.) Resource Conservation District.

Community Development Director Schroeder reminded the City Council that on October 17, 1990, Council adopted Resolution No. 90-161 initiating annexation proceedings on the subject parcel.

Following a public hearing regarding the matter held on March 15, 1991 before LAFCO, the Local Agency Formation Commission of San Joaquin County, it determined and ordered the following:

- 1. The Environmental Impact Report adopted by the City of Lodi as lead agency has been reviewed and considered, and findings of fact and a statement of overriding considerations are hereby adopted.
- 2. The above entitled reorganization is approved subject to the terms and conditions contained herein.

- 3. The boundaries are hereby approved as submitted.
- 4. The affected territory is uninhabited.
- 5. The City of Lodi is designated as the conducting authority and the City Council is authorized to initiate proceedings uninhabited reorganization in accordance with Section 57000 et seq. of the Government Code.

Resolution No. 825 before the Local Agency Formation Commission of San Joaquin County - Resolution Approving the Industrial Substation Reorganization (LAFCO 4-91) Including Annexation to the City of Lodi and Detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District is on file in the City Clerk's office.

On November 7, 1990, Council adopted Ordinance No. 1499 prezoning the Industrial Substation site to M-2, Heavy Industrial.

At the April 3, 1991 meeting, Council adopted Resolution No. 91-69 - Resolution directing the City Clerk, pursuant to the State of California Government Code Section 5700 et seq., to set a public hearing May 1, 1991 at 7:30 p.m. to consider the Industrial Substation Reorganization, including annexation to the City of Lodi and detachment from the Mokelumne Fire District and the S. J. C. Resource Conservation District. The appropriated advertising and mailings were made pursuant to State statute.

Mayor Hinchman opened the hearing to the public. being no one wishing to speak, the Mayor then closed the hearing to the public.

On motion of Council Member Snider, Pinkerton second, the City Council adopted Resolution No. 91-82 entitled, "A Resolution of the Lodi City Council Ordering the Industrial Substation Reorganization (LAFC 4-91) with Notice and Hearing, Including Annexation to the City of Lodi, and Detachment from the Mokelumne Fire District and the San Joaquin County (S.J.C.) Resource Conservation District".

REPORT

PLANNING COMMISSION City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of April 22, 1991.

ITEMS OF INTEREST

CC-35

The Planning Commission -

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Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Inc. on behalf of Irvin Bender et al for the Tentative Subdivision Map of Camellia Plaza, a proposed 8-lot, 1.23 acre single-family project at 2008 West Tokay Street in an area zoned R-2, Single-Family Residential; and

Certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

Determined that the buildable lot area was too small and the density too high and denied the request of Tim Mattheis, Wenell, Mattheis, Bowe Inc. on behalf of Bob Spiekerman and Carol Muller for approval of the Tentative Subdivision Map of a 7-lot single-family residential subdivision at 535 South School Street in an area zoned R-1*, Single-Family Residential - Eastside.

Accepted the developer's request and continued consideration of the request of Terry Piazza, Baumbach and Piazza, Inc. on behalf of Daryl Geweke for approval of a Parcel Map to create two lots from one lot at 1150 South Beckman Road in an area zoned M-1, Light Industrial until 7:30 p.m., Monday, May 13, 1991.

Conditionally approved the request of Phillippi Engineering, Inc. on behalf of Lodi Plaza Partnership for a Lot Line Adjustment at 2448

West Kettleman Lane (Sunwest Plaza Shopping Center) in an area zoned C-S, Commercial Shopping.

Continued consideration of the request of Terry Piazza, Baumbach and Piazza, Inc. on behalf of Century Park Investors for approval of Century Park Unit No. 3, a resubdivision of Lots 6 through 16 of Century Park Unit No. 2 at 2041 South Cherokee Lane in an area zoned P-D(19), Planned Development District No. 19 until 7:30 p.m., Monday, May 13, 1991 so that the City Attorney could review the conditions and rules for a modified Homeowners Association.

Approved the request of Tony White (formerly Don Pearson) for a one-year extension of his Tentative Parcel Map to divide 550 Loma Drive into two lots and modify two of the original conditions established on April 24, 1989.

Determined that a Zoning Hardship did not exist and denied the request of Dan White for a Variance to reduce the sideyard setback requirement from 5 feet to 3 feet to permit a two story addition consisting of a carport, bedroom, bath and family room at 1621 Holly Drive in an area zoned R-2, Single-Family Residential.

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h. Continued consideration of the request of Jim Thorpe Oil, Inc. for a Use Permit to install a temporary security trailer at 807 Black Diamond Way in an area zoned M-2, Heavy Industrial.

Determined that electronic games centers included pool tables and suggested that Marlon DeGrandmont apply for a Use Permit for same.

ANNOUNCEMENT OF GENERAL PLAN MEETING

Mayor Hinchman took this moment to announce that the next meeting for the General Plan review will be on Thursday, May 2, 1991 at 7:30 p.m.

COMMUNICATIONS (CITY CLERK)

i.

CLAIMS CC-4(c)

On motion of Council Member Pinkerton, Hinchman second, the City Council denied the following claims and referred them back to the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA):

- a) Kurt Bush, Jr. (a minor), Date of loss 1/22/91;
- b) Pacific Bell, Date of loss 10/31/90; and
- c) Isabel (Connie) Raya, Date of loss 1/25/91.

ABC LICENSE APPLICATIONS

CC-7(f)

Deputy City Clerk Perrin informed the City Council that the City had received an application for Alcoholic Beverage Control License for the following business:

a) Bumble Bee Inn, 20 North Main Street, Lodi, On Sale Beer, Person to Person Transfer.

NOTICE FROM THE PUBLIC UTILITIES COMMISSION REGARDING APPLICATION OF PACIFIC GAS AND ELECTRIC COMPANY

CC-7(f)

Deputy City Clerk Perrin read for City Council's information the Public Utilities Commission's notice of the application of Pacific Gas and Electric Company for authority to adjust its electric rates effective November 1, 1991 and to adjust its gas rates effective January 1, 1992.

APPEALS RECEIVED REGARDING
USE PERMIT AT TWIN ARBORS
ATHLETICS CLUB, 2040 COCHRAN ROAD

CC-53(b)

Two appeals were received from Bruce Schweigerdt, 747 Mills Avenue, Lodi and Ron Hilder, 808 Tilden Drive, Lodi regarding the Planning Commission's conditional approval of the request of Wennell, Mattheis, Bowe, Inc., on behalf of Twin Arbors Athletics Club for a Use Permit to expand and remodel an existing sports club at 2040 South Cochran Road, in an area zoned R-1, Single-Family Residential.

Council was asked to set this matter for public hearing on May 15, 1991 at 7:30 p.m.

There were a few members in the audience who spoke regarding this matter.

- a) Bruce Schweigerdt, 747 South Mills Avenue, Lodi, California requested that the City Council set this matter for public hearing in July 1991 instead of on May 15, 1991 due to the fact that he will be out of town May through late June.
- b) Christy Savage of the law firm Hefner, Stark & Marios, 2710 Gateway Oaks, Sacramento, representing Twin Arbors Athletics Club asked the Council to set this matter for public hearing on May 15, 1991 because she feels the delay is unfair to the applicant, seeing that he has been through many meetings already.

The City Attorney's recommendation was also to set this matter for public hearing at the May 15, 1991 City Council Meeting. Therefore, on motion of Council Member Sieglock, Hinchman second, the City Council set the appeal for the Planning Commission's conditional approval of the request of Wennell, Mattheis, Bowe, Inc. on behalf of the Twin Arbors Athletics Club for a Use Permit to expand and remodel an existing sports club at 2040 Cochran Road, in an area zoned R-1, Single-Family Residential for the Council meeting of May 15, 1991 (Council Member Snider abstained from voting on this matter, due to a conflict of interest).

POSTING FOR EXPIRING TERMS ON VARIOUS BOARDS AND COMMISSIONS

CC-2(a) Deputy City Clerk Perrin informed the City Council t	
CC-2(d) several of the terms on the various City of Lodi Boards	and
CC-2(g) Commissions will be expiring shortly as follows:	
CC-2(h)	

CC-2(k) CC-2(1)

Advisory Board 49-99 Library System

Patricia Robison two-year term expiring July 1, 1991

Library Board of Trustees

Milton Bergantz	three-year	term	expiring	June	30,	1991
Leonard A. Humphreys	three-year	term	expiring	June	30,	1991

Lodi Arts Commission

Don Levy	three-year	term	expiring	July	1,	1991
Raquel Thompson	three-year	term	expiring	July	1,	1991
Kathleen Manwaring	three-year	term	expiring	July	1,	1991
Reverend Harmon D. Skillin	three-year	term	expiring	July	1,	1991

Planning Commission

Susan Hitchcock	four-year	term	expiring	June	30,	1991
Roger Stafford	four-year	term	expiring	June	30,	1991

San Joaquin Commission on Aging

Dorance Ochs three-year term expiring June 30, 199	Dorance Ochs	three-year term	expiring J	lune 30,	199
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Site Plan and Architectural Review Committee

Michael Locke four-year term expiring June 30, 1991

On motion of Council Member Snider, Hinchman second, the City Council directed the City Clerk to post for these vacancies.

REGULAR CALENDAR

FUNDING APPROVED FOR PREPARATION OF PRELIMINARY DESIGN FOR HUTCHINS STREET SQUARE AUDITORIUM

CC-27(e)

City Manager Peterson, reminded the City Council that at its regular meeting of April 17, 1991, the City Council heard a request from the Old Lodi Union High School Site Foundation, in the person of Mr. Dennis Bennett, Chairman, that the City Council advance the Foundation the sum of \$170,000 to fund the preparation of preliminary design drawings for the restoration of the auditorium at Hutchins Street Square. In the Council Communication addressing this request in the agenda packet for that meeting, it was noted that the balance in the General Fund Operating Reserve had dipped below the generally accepted minimum level. As such, it is not prudent to tap this reserve fund for this purpose. Therefore, the only remaining source of revenue are those funds already appropriated for Capital Improvement Program projects. It comes down to a priority The following list of projects illustrates from which projects funds could be made available to satisfy the Foundation's request.

FUNDING SOURCES FOR AUDITORIUM DESIGN HUTCHINS STREET SQUARE

Recommended Available Funds Reallocation MSC Covered Storage: Sewer Capital \$ 120,000 Water Capital 60,000 MSC - Administration Building: Sewer Capital 200,000 \$ 90,000 Water Capital 100,000 45,000 MSC - Garage Expansion: 60,000 Sewer Capital 78,000 Electric Capital Water Capital 60,000 13,816 Capital Outlay City Hall Addition 1,881,473 5,000 Miscellaneous Sanitary Sewer 10,000 10,000 5,000 Oversized Water Mains

Miscellaneous Water Mains	9,805	5,000
Miscellaneous Storm Drains	10,000	5,000
Kofu Park Lighting	130,403	
Upgrade Stadium Electric	135,700	
Hutchins Street Square Music Building Lighting	3,000	3,000
Miscellaneous Sewer Manholes	13,691	5,761
Sewer Taps	8,138	4,000
SPRR Property Acquisition	2,239	2,239 ====== \$170,000

The biggest "hit" is on the Municipal Service Center's Administration Building expansion project. There is a need for this expansion or it would not have been included in the recently-adopted Capital Improvement Program. The operative word here is "priority." If the City Council deems it a higher priority to move ahead with the preparation of the preliminary design for the auditorium at this time, there is funding available. However, it is available only at the expense of other projects.

The City Hall addition project appropriation is listed as a possible source of funding, but this is a critical need from both space and handicap accessibility standpoints. It is recommended that this project not be slowed.

Mr. Ben Schaffer representing the Old Lodi Union High School Site Foundation shared with the Council on how much the community has supported the Foundation, not only in its goals, but also financially. He also informed the Council that the Foundation's debts have either all been paid or have been arranged to be paid.

Following further discussion among Council and staff with questions being directed to Mr. Schaffer, the Council on motion of Mayor Pro Tempore Pinkerton, Pennino second, unanimously approved the funding as recommended by staff (\$170,000) for the preparation of a preliminary design for the Hutchins Street Square Auditorium rehabilitation with the anticipation that these funds will be re-paid by the Foundation as has been done in the past.

RECESS

Mayor Hinchman called for a short recess and Council reconvened at approximately 9:14 p.m.

ADOPTED RESOLUTION REGARDING NEPOTISM THEREFORE RESCINDING RESOLUTION NO. 90-109

RESOLUTION NO. 91-78

CC-34 CC-300 As directed by the Council, at its meeting of April 17, 1991, the City Attorney prepared two draft resolutions, offering options for the City's nepotism policy.

These were prepared in response to concerns regarding employees related to members of City Advisory Boards, and also situations in which part time employees may supervise other part time employees.

Option A modifies the City's existing nepotism policy as adopted in Resolution 90-109 by simply removing reference to members of "Advisory Board(s) to that Department".

Option B is similar to Option A in removing reference to members of Advisory Boards. In addition, Option B also would state explicitly that the nepotism policy as it applies to situations in which one family member might "... supervise, dispatch or evaluate ..." does not apply to part time employees. This would address the situation discussed at the meeting in which persons who referee athletic events on a part time basis might find themselves supervising other family members who are part time City employees.

Following discussion among the City Council and staff, the Council, on motion of Mayor Pro Tempore Pinkerton, Hinchman second, adopted Resolution No. 91-78 entitled, "Resolution Establishing a Policy in Regard to Employment of Relatives Within the City of Lodi Classified Service and Thereby Rescinding Resolution No. 90-109 Pertaining Thereto" (Option B) by the following vote:

Ayes: Council Members - Pennino, Pinkerton, and Snider

Noes: Council Members - Sieglock and Hinchman (Mayor)

Absent: Council Members - None

ORDER CHANGED ON AGENDA

Regular Calendar Item #K-3 entitled, "Set Public Hearing regarding Development Impact Fees" was moved, discussed and acted upon at the end of the Regular Calendar.

UPDATE ON LODI LIFE MISSION PROJECT (HOMELESS CENTER)

CC-55

City Manager Peterson reminded the City Council that at the meeting of April 17, 1991, Councilman Snider asked that the City Council be updated on the progress of the Lodi Life Mission (Homeless Center) on North Sacramento Street in what was formerly Ouinn's Bar.

Below is a memorandum from Eric Veerkamp, the City's Block Grant Administrator which describes the present conditions of the project.

The sub-recipient agreement with Fellowship-In-Action (FIA) was such that all funds had to be expended by January 31, 1991. In meeting this objective, FIA encumbered the remainder of the \$100,000 grant by purchasing construction materials such as lumber, sheetrock, heating and air conditioning equipment, and plumbing and electrical supplies.

Construction activities at the project site have continued steadily so that recently all drywall work has been completed. While the project is approximately two (2) months behind schedule, all construction work should be completed by July 1, 1991.

Harry Marzolf, President, Fellowship in Action (FIA) presented the City Council with a report on how the renovating of the building is coming along. The interior is almost finished. There are, of course, a few more items to finish like getting bedding, volunteers, tile setters, etc. Mr. Marzolf extended an invitation to the Council Members to attend its "Hard Hat Tour" on Thursday, May 9, 1991 at 5:00 p.m. Mayor Hinchman also suggested that the merchants along Sacramento Street be invited so that they become aware of what is happening with this building.

PEDESTRIAN CROSSING ON CHEROKEE LANE, VICINITY OF HALE ROAD

CC-48(a)

Public Works Director Ronsko reminded the Council that at the request of City Council, staff has accelerated the study of pedestrian safety across Cherokee Lane at Hale Road. Staff began this study due to the citizen complaints and accident reports received. Background information regarding school age pedestrians is on file in the City Clerk's office. This Caltrans material discusses pedestrian and driver characteristics as well as general quidelines in analyzing pedestrian problems.

Existing Conditions

Physical Characteristics

This "T" intersection is controlled by a stop sign on Hale Road at Cherokee Lane. A marked pedestrian crosswalk exists on the south leg of this intersection across Cherokee Lane. Pedestrian crossing signs and pavement legends exist at both approaches to this crosswalk. Street lights on both sides of Cherokee Lane at this intersection were installed in April of 1987 by the City as the result of citizen complaints and a traffic study. The land use along Cherokee Lane is commercial; however, Hale Road leads into a residential area with over 140 single and multiple residential lots. The other access to this area is Delores Street, approximately 1,700 feet to the south.

° Accident History

A summary of available accident records from 1987 to the present is shown in the table below. The results of the summary indicate that 6 pedestrians were struck by vehicles while crossing Cherokee Lane. Four of these pedestrians were between the ages of 10-13 years old. The two other pedestrians were 20 and 31 years old. In addition to the pedestrians struck by vehicles, 3 others were not struck, but involved in the accident such as a vehicle stopped for a pedestrian being rear-ended by another vehicle. All 9 of these pedestrian-related accidents occurred on a weekday between the hours of 2:00 p.m. and 7:00 p.m.

ACCIDENT TYPE	1991 (TO PRESENT)	1990	YEAR 1989	1988	1987	TOTAL
PEDESTRIANS STRUCK	2	0	2	0	2	6
PEDESTRIANS INVOLVED	1	0	0	0	2	3
OTHER ACCIDENTS (NON-PEDESTRIAN RELATED)	0	2	2	3	5	12
TOTAL ACCIDENTS	3	2	4	3	9	21

°Pedestrian Count

A pedestrian count was performed on Friday, April 19, from 3:00 to 5:00 p.m. This is the time period that the market in the area felt the most pedestrian activity occurred. This also is within the time period that the pedestrian accidents occurred as shown in the accident study. The results of this survey are shown below.

TIME (PM)	PEDESTRIANS (CROSSING CHEROKEE LANE)	VEHICLES (THROUGH CROSSWALK)
3:00 - 3:30 3:30 - 4:00 4:00 - 4:30 4:30 - 5:00	13 16 22 14	733 789 772 750
TOTALS	*65	3,044

^{*}Approximately 70% or 45 of the 65 pedestrians observed were elementary school age

°Volumes/Speed

Traffic counts show that volumes on Cherokee Lane and Hale Road are approximately 16,500 and 900 vehicles per day, respectively. The existing posted speed limit on Cherokee Lane 35 mph. The prima facie speed limit on Hale Road is 25 mph.

Alternatives

Staff has developed some possible actions to increase pedestrian safety. These alternatives are listed below.

Alternative A - Install larger pedestrian crossing signs and improve crosswalk markings. The existing 30-inch pedestrian crossing signs at this location are standard per State of California (Caltrans) guidelines. Thirty-six-inch signs are also available. Due to the large number of businesses and advertising signing along Cherokee Lane, traffic signs are difficult to see. The location of the pedestrian signs at this crossing. In addition to larger signs, the crosswalk bars can be widened from 12 inches to 24 inches and crosshatching added for improved driver visibility of crosswalk.

The cost of installing larger signs and modifying the crosswalk is approximately \$350.00.

Alternative B - Install a flashing yellow beacon to supplement the existing pedestrian signs and markings. flashing beacon is designed to alert motorists pedestrian activity in the area. The State of California (Caltrans) provides guidelines for the installation of flashing beacons at uncontrolled school crossings. Although not directly applicable here, the guidelines have been used at this location for comparison. At an uncontrolled school crossing, these quidelines satisfied when there are at least 40 elementary school age pedestrians using the crossing and 200 vehicles traveling through the crossing during each of any two hours. results of the survey are shown below.

TIME (PM)	PEDESTRIANS OBSERVED	; /	PEDESTRIANS NEEDED PER GUIDELINES	VEHICLES OBSERVED	/	VEHICLES NEEDED PER GUIDELINES
3:00 - 4:00	. 20	/	40	1,522	/	200
4:00 - 5:00	25	/	40	1,520	/	200

As shown above, the number of school age pedestrians are below the 40 per hour indicated in the guidelines for the installation of a flashing beacon. Adult crossing guard guidelines for school areas also were not satisfied.

The cost of installing a flashing beacon is approximately \$10,000.

Alternative C - Install a mid-block pedestrian-actuated crossing signal across Cherokee Lane between Hale Road and Maple Street. A pedestrian-actuated crossing signal would provide maximum safety for pedestrians short of an overcrossing or tunnel. The cost of a pedestrian crossing signal is approximately \$60,000. The signal would be actuated by pedestrian push buttons. When a pedestrian pushes the button, the traffic controller will search for an adequate gap in traffic. When the adequate gap is found, the signal will stop vehicle movement and allow the This is similar to a traffic pedestrian(s) to cross. signal at an intersection except that this is designed for a mid-block installation. If the pedestrian crossing signal is placed at this location, it may also be desirable to replace the existing depressed curb with square-type curbing to protect the signal posts on both sides of Cherokee Lane. The parking lot at the market on the west side of Cherokee Lane may also need some striping modifications to divert traffic around the signal pole. These improvement costs are unknown at this time and are not included in the \$60,000 estimate shown.

State of California (Caltrans) traffic signal guidelines were also checked for the intersection of Hale Road and Cherokee Lane. The intersection met State guidelines for a traffic signal; however, per our 1990 Traffic Signal Priority Study, 16 of the 21 intersections studied rank higher on the list. These guidelines are used to determine if a traffic signal should be considered. Meeting the State guidelines does not necessarily mean that a traffic signal should be installed at an intersection. These guidelines would be satisfied at many of the remaining unsignalized intersections along Cherokee Lane. The cost of installation of an intersection traffic signal is approximately \$100,000.

Lodi/Church

Discussion

The manager of a business in the area indicated that this crosswalk is used by young and adult pedestrians throughout the day. The destinations of these pedestrians are a variety of locations due to the mix of residential and commercial uses on both sides of Cherokee Lane. During staff's survey, the majority of pedestrians observed were customers of Star Market on the west side of Cherokee Lane across from Hale Road. There is an arcade at this market that draws younger customers.

Staff has also recently compiled City-wide pedestrian accident data from 1987-1990. The results of this data indicates that Cherokee Lane has the highest number of pedestrian accidents of any other streets. Locations with 3 or more are:

LOCATION	#	PEDESTRIAN ACCIDENTS (1987 THRU 1990)
Cherokee/Eden Locust between Central and Garfie	1.	5 d 4
Cherokee/Hale		3
Cherokee/Locust		3
Cherokee/Flm		3

The majority of these accidents occurred at the intersections of Eden Street, Hale Road, Elm Street, and Locust Street. All of the pedestrian accidents in this time period have been plotted on a large map and is available for viewing at the Council meeting or prior to the meeting at City Hall, Traffic Division.

3

Recommendation

Pine between School and Sacramento

Due to the relatively high number of pedestrian and pedestrian-related accidents, congestion, and relatively high speeds at this location, staff feels additional pedestrian protection is appropriate.

Staff does not recommend a mid-block pedestrian-actuated traffic signal at this location due to its proximity to side streets. The distance between Hale Road and Maple Street is only approximately 120'. This could create problems for drivers turning left from these side streets because their attention will be focused on entering Cherokee Lane and they may not see the traffic signal. Also, the required placement of the overhead traffic signal (40' from crosswalk for visibility by stopped drivers) may cause drivers to stop at the intersection instead of at the crosswalk. Drivers normally associate a traffic signal

with an intersection. These mid-block pedestrian signals are better suited for locations that are not close to side streets.

Staff feels an overhead flashing beacon at this location would provide additional indication of pedestrian activity to drivers without giving pedestrians a false sense of security.

Following much discussion among the City Council and staff regarding each of the alternatives, the following person spoke regarding the matter:

a)

Marla Donovan, 827 Lloyd Street, Lodi, California. Ms. Donovan's main concern was that people, children especially, are too afraid to cross this street due to the high volume of traffic and no place to cross safely. She feels a signal would be the best solution to this problem, and a flashing beacon would only be a temporary solution. Ms. Donovan also expressed her concern that the bus stop for the children going to school is at a bad location and it forces the children to stand on the street instead of the sidewalk. She also suggested that signs be put up to reduce the speed limit to 15 - 20 mph.

Jee worden on inter

Following a lengthy discussion on the matter, Council on motion of Council Member Sieglock, Snider second, unanimously authorized the installation of a yellow flashing light in the subject area and to improve and increase the size of the sidewalk in the area of the striping, further that that the Public Works Department, in conjunction with the Police Department, take a look at the painting of that area with a red stripe and report back to the City Council with its findings and recommendations. Further the City Council directed that a letter be sent to the school district requesting that the bus stop be relocated.

CONTRACT APPROVED FOR TECHNICAL ASSISTANCE TO REVIEW COST OF SERVICES

CC-90

Assistant City Manager Glenn informed the City Council that prior to Proposition 13 local governments were not overly concerned with recapturing the costs of providing public services. The solution was simple; property tax rates were adjusted to provide the needed dollars to balance the budget. The reality of the situation was that property assessments grew and expanded to the extent that tax rate increases were not necessary and if so the change was slight. Many cities provided certain services without

charge. Los Angeles, for instance, provided free refuse pick-up.

With the passing of Proposition 13 the rules of the game changed. It became necessary to begin to charge for services. Lodi behaved much like other cities. We tightened our belt, reestablished priorities, relied on the State to provide revenues, and lived on reserves. Lodi was and is unique in that we have three well-run and profitable Enterprise Funds which have provided needed additional revenues.

Staff has reviewed and increased some of our fees and charges for services in an effort to recapture our costs. However, costs continue to increase as inflation takes its toll, and as the City grows.

In past budget messages the City Council has been advised that General Fund revenues do not meet the cost of providing services. It must be reiterated strongly and indelibly that the Council has little control over its revenue stream. It cannot set property tax rates; it cannot increase assessments; it cannot change the sales tax. State subventions are not determined by local action. Interest rates are set by the market. The only General Fund revenues controlled locally are charges for services and those licenses and fees a General Law city can impose.

One facet of good public monetary policy is to recapture the cost of direct services that are unique to the person, the property or time. For instance, the general public should not pay for the direct costs of issuing a variance or changing the zoning of a piece of property. Those services are a direct benefit to an individual or the owner of a piece of property. General tax revenues should not be used for those purposes. By the same token, the cost of maintenance of traffic lights, trimming street trees, fire protection, police patrol, library services, for instance, benefit the entire community and should be paid for from general tax revenue.

In order to maintain our levels of service, the City must undertake a program to identify the costs of providing services and develop fees to recapture all or a portion of those costs. The amount to be recaptured certainly is, and appropriately so, the province of the City Council. However, to make an intelligent decision the costs must be known.

The present City staff does not have the expertise nor the time to do a proper job of identifying the costs and develop appropriate fee schedules. If we were to assign this task in-house we could not complete this project in a

timely manner but most importantly, we would spend a great deal of time spinning our wheels and most likely could not do the same quality job as experts in the field.

The City's present business license fees were put into effect in 1948 and have not been revised since that time. A business license fee is not regulatory in nature but a revenue source. If our business license fees are to be revised (and they should be) any new formula analyzed with an eye toward being reasonable, equitable, understood, and justified. It should assist in meeting the City's revenue needs, and be easily administered. Such a tax should not be regressive, but rather be responsive to the business cycle.

This likewise is a specialized study and requires special knowledge and above all the time to complete such a study.

The cost of this study if approved will be:

Cost Recovery - \$41,000 Business License Review - 22,480 \$63,480

Staff strongly urged the Council to authorize these studies. The City is presently in the process of putting together an operating budget for 1991-92 and it is becoming increasingly clear we must take action to ensure an adequate revenue stream to support our present levels of service.

Speaking on behalf of Ralph Andersen Associates was Mr. Jim Morrison. Mr. Morrison informed the Council that his consulting firm would work very closely with Council in documenting and developing user fees and charges to recover the City's direct costs and would assess and develop a business tax program to provide a revenue source for the City. Council showed concern in creating fees that were too high for the public, and Mr. Morrison assured the Council that it would have the ultimate decision in what percentage fees would increase, if any.

Following further discussion on the matter, the Council on motion of Council Member Sieglock, Snider second, voted unanimously to authorize the City Manager to enter into contract with Ralph Andersen and Associates to identify, document and develop user fees and charges to recover the City's direct cost for providing public services. Further the City Council directed the City Manager to study the business license fees and report back to the City Council at a future meeting.

SET PUBLIC HEARING REGARDING DEVELOPMENT IMPACT FEES

CC-56

Public Works Director Ronsko informed Council that as part of the General Plan update, the City retained the firms of Nolte and Associates and Angus McDonald and Associates to prepare a comprehensive study of costs and financing mechanisms for the major capital improvements needed to support the growth shown in the General Plan. The goal is to provide needed capital improvements meeting City service standards in a timely fashion.

The draft study was sent out April 17, 1991 and an informal public meeting scheduled for April 30, 1991. At the May 1 meeting, staff made a short presentation on the results of the meeting.

Eventual adoption of the fee program will need to be coincidental or closely follow adoption of the General Plan. It is assumed Council will want to hold special meetings to review the fee program. Staff suggests those begin in the third week of May.

Since this program will have a significant affect on the Capital Improvement Program which is to be considered in July/August, it is recommended action on the General Plan and fee program take place as soon as practical.

Following a brief discussion, the Council, on motion of Council Member Snider, Pennino second, voted unanimously to set the matter for public hearing on Tuesday, May 28, 1991 at the hour of 7:00 a.m.

ORDINANCES

ORDINANCE AMENDING LODI
MUNICIPAL CODE CHAPTER 12.12 PARKS - BY ADDING A NEW
SECTION PERTAINING TO PROHIBITED
ACTIVITIES

ORDINANCE NO. 1510 ADOPTED

CC-27 CC-149 Ordinance No. 1510 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 12.12 - Parks - by Adding Thereto a New Section 12.12.255 Entitled, 'Lodi Lake Nature Area: Prohibited Activities'" having been introduced at a regular meeting of the Lodi City Council held April 17, 1991 was brought up for passage on motion of Council Member Pennino, Sieglock second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Pennino, Sieglock, and Hinchman

(Mayor)

Noes: Council Members - Pinkerton and Snider

Absent: Council Members - None

CLOSED SESSION

The City Council adjourned to a closed session regarding the following matter:

a) Litigation - Reed v City of Lodi, Superior Court Case No. 227677.

No formal action was taken by the City Council. The City Council reconvened at approximately 11:20 p.m.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Hinchman adjourned the meeting at approximately 11:20 p.m.

ATTEST:

pennifer M. Petrin Beputy City Clerk

for Alice M. Reimche City Clerk

(*)

"Following a lengthy discussion on the matter, Council on motion of Council Member Sieglock, Snider second, unanimously authorized the installation of a yellow flashing light in the subject area and to improve and increase the size of the crosswalk painting, further that the Public Works Department, in conjunction with the Police Department, take a look at the painting of that area with a red curb and report back to the City Council with its findings and recommendations. Further the City Council directed that a letter be sent to the school district requesting that the bus stop be relocated."

Amended on 6/5/91 City Council Meeting.

liter In Bienche

city Clerk